

Ethics Clinic: Diversity, Equity, and Inclusion and Beyond

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The Ethics Clinic, sponsored by the CSE Editorial Policy Committee, is a highly interactive crowd favorite held at each CSE Annual Meeting in which speakers bring real-life cases for discussion for each table of participants to review, discuss, and present their ideas. After each round of group discussion and sharing, the speakers present the status of each case, along with any rationale that led to decisions thus far. This year's clinic focused on ethics in diversity, equity, and inclusion. Each year, the Committee uses the theme of the annual meeting to frame the topic for the clinic.

Case 1: Offensive Terminology

The first case introduced by Stacy Christiansen of JAMA presented a portion of an accepted manuscript at a US medical journal containing a term for a study population that the editor felt could be offensive to Western audiences. However, because the study was based outside North America, the editor was unsure about making edits to a term that could be accepted locally. Discussion groups proposed including an explanatory footnote regarding the term's context. They also discussed why the term was not caught in peer review, and whether there was someone on the editorial board from that part of the world who could

provide such context. Groups also thought the author's background was important and that they should be included in the conversation.

This case was resolved by emailing the managing editor of a prominent journal in that part of the world, and learning that, while the potentially offensive term had been used in the past, the journal was working to change it. With that managing editor's guidance, and with the author's buy-in, the term was removed from the published text.

Case 2: AI as Author

The second case presented by Christiansen described a manuscript submitted to a medical journal with 2 authors listed: a very prominent physician-scientist and the artificial intelligence (AI) model ChatGPT. Participants unanimously felt that ChatGPT could not qualify as an author, as it cannot be responsible for analysis or data collection, nor can it transfer copyright. Also, regardless of the reputation of the first author, AI should not be listed as a co-author. This case also opened the conversation to how authors should be required to report their use of AI, as well as whether peer reviewers should be allowed to use it at all. Confidentiality and copyright issues were major concerns, since when running a paper through ChatGPT, it retains the information.

The paper was ultimately not accepted because ChatGPT cannot fulfill the criteria for authorship. Many attendees agreed that AI can be a useful tool if used transparently, sparingly, and for a good reason. Reviewers need to be explicit on how AI is used and must keep any submitted work confidential, never pasting a draft of a paper into an AI program.

Case 3: Historical Content

The third case was presented by Daniel Kulp, Senior Editorial Director, American Chemical Society, and Chair of the Committee on Publication Ethics (COPE), who began by introducing COPE, discussing its Diversity, Equity, Inclusivity, Accessibility Subcommittee, and encouraging attendees to visit the resources on the COPE website.¹ The case dealt with a society journal that has been receiving complaints about some historic papers outlining a practice that the society no longer endorses and that is now deemed to be offensive, or even potentially harmful. The society issued an apology, and the authors expressed regret about their involvement, but the paper is still being cited and generating anger on social media. Discussion centered around how to deal with historical content that

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was accepted at one time but is considered unacceptable or harmful by today's standards.

Participants felt that a retraction would not be helpful, nor would it be feasible to retract everything in the past that has since been disproven. Rather, the journal should encourage discussion, education, and awareness of why a certain practice is no longer acceptable by writing an editorial. In the end, an editorial was indeed published, and the authors apologized, placing their involvement in historical context. The society did not retract the paper but used it as an opportunity to have a larger discussion.

Case 4: Alleged Author Discrimination

Also presented by Kulp, the fourth case arose from an initial request from a corresponding author to retract a published article because of an alleged author dispute, a situation that normally does not warrant a retraction. After requesting more information, and not hearing from the institution in a timely manner, the journal published an expression of concern (EOC). Following this, the journal learned that the institution found not an author dispute, but evidence of research misconduct, which prompted the journal to retract the paper. After informing the author of the retraction, the journal learned that the author had lodged a complaint with the National Institutes of Health (NIH) Office of Research Integrity, insisting that they had been the target of racial discrimination by the institution. The journal then put the retraction on hold.

In this complex case, participants weighed how to ensure the validity of the paper while not potentially being part of any discrimination against the author. Some felt that the evidence of misconduct should be considered separately from the issue of discrimination and was likely enough to retract the paper. Currently the case is still ongoing, and the EOC is still posted. Participants and the presenter agreed that, if a retraction does occur, the journal would need to be very clear on which protocols were not followed and why they were grounds for retraction, clearly separating issues of validity from the larger NIH investigation. Regardless of the decision, great care should be taken in communicating the action taken and the reasons for it.

Case 5: Learning from Mistakes

The final case, presented by Leonard Jack, Jr, of *Preventing Chronic Disease*, focused on an essay published in

Neurology that was racially and culturally offensive to readers. The piece in question was a reflective essay in a journal's humanities section. It contained vivid descriptions of a patient and his wife that perpetuated racial and cultural stereotypes, sparking numerous complaints. The article also provided details that may have compromised the patient's confidentiality. Groups were encouraged to discuss how journals can be proactive when things go wrong.

Participants voiced concerns about the need for diverse editorial and peer review, so that people from multiple backgrounds and perspectives are viewing articles and catching potentially offensive content. The journal in question did an excellent job of creating space for feedback, making immediate changes to correct the issue going forward, and quickly communicating these to its readers. These actions included mandating diversity review of all articles, efforts to increase diversity on the editorial board, and commitment to continuous diversity, equity, and inclusion efforts. The article itself was retracted, and a commentary was soon published addressing what went wrong and what was learned.

Key takeaways from this case included the need to recognize that, while implicit biases may be unintended, they can have serious consequences. Deeply rooted assumptions creep into decision-making in unrecognized ways—even among the most well-intentioned authors, peer reviewers, journal editors, and organizations—that can prevent the best science from being produced and published. We should avoid papers that attempt to label people or generalize based on a characteristic and be very cautious when assuming any role of "cultural interpreter." Furthermore, if a journal puts anything in writing about a commitment to change, it would be helpful to provide its readership with updates on progress being made to achieve those commitments. Finally, we need to be able to share our experiences of making mistakes without shame so that we can have transparent conversations and help each other do better.

The Editorial Policy Committee is always welcoming new members; please contact any one of the moderators for information.

References and Links

1. <http://www.publicationethics.org>